



# LIBRARIES

UNIVERSITY OF WISCONSIN-MADISON

## **Documents relating to the negotiation of the treaty of September 17, 1851, with the Sioux Indians. September 17, 1851**

Washington, D.C.: National Archives, September 17, 1851

<https://digital.library.wisc.edu/1711.dl/OFVCYFDAEZ6JX87>

As a work of the United States government, this material is in the public domain.

For information on re-use see:

<http://digital.library.wisc.edu/1711.dl/Copyright>

The libraries provide public access to a wide range of material, including online exhibits, digitized collections, archival finding aids, our catalog, online articles, and a growing range of materials in many media.

When possible, we provide rights information in catalog records, finding aids, and other metadata that accompanies collections or items. However, it is always the user's obligation to evaluate copyright and rights issues in light of their own use.

DOCUMENTS RELATING TO THE NEGOTIATION OF THE  
TREATY OF SEPTEMBER 17, 1851, WITH THE SIOUX INDIANS

Copy of Treaty of  
Fort Laramie, 1851

Note. This treaty, being submitted  
to the Senate, was ratified with  
an amendment providing that  
\$70,000 per year should be paid for  
15 years. This was to be submitted  
to the Indians, but they were never  
got together for the purpose. The  
above amount has, however, been  
appropriated and distributed an-  
nually in goods - this year 1865  
being the last of the fifteen

Articles of a treaty made and concluded at Fort Saramie, in the Indian Territory between D. D. Mitchell Superintendent of Indian Affairs and Thomas Fitzpatrick Indian Agent - Commissioner specially appointed and authorized by the President of the United States of the first part; and the Chiefs, Head-men and Braves of the following Indian Nations residing south of the Missouri River east of the Rocky Mountains and north of the lines of Texas and New Mexico; - viz; the Sioux or Dak-co-tahs, Cheyennes, Arapahoes, Crows, Assina-boins, Gros Ventres, Mandans, and Arvickeras, parties of the second part; on the seventeenth day of September, A.D. One Thousand Eight Hundred and Fifty one,

Article 1<sup>st</sup> The aforesaid nations parties to this treaty having assembled for the purpose of establishing and confirming peaceful relations amongst themselves, do hereby covenant and agree to abstain in future from all hostilities whatever against each other; - to maintain good faith and friendship in all their mutual intercourse, and to make an effective and lasting peace.

Article 2<sup>nd</sup> The aforesaid nations do hereby recognize the right of the United States Government to establish roads, Military and other Posts, within their respective territories

Article 3<sup>rd</sup> In consideration of the rights and privileges acknowledged in the preceding article, the United States bind themselves to protect the aforesaid Indian nations against the commission of all depreda-

tions by the people of the United States after the satisfaction of this treaty.

Article 4th The aforesaid Indian nations do hereby agree and bind themselves to make restitution or satisfaction for any wrongs committed, after the satisfaction of this treaty, by any band or individual of their <sup>or the people</sup> people of the United States, whilst lawfully residing in, or passing through their respective territories

Article 5th The aforesaid Indian nations do hereby recognize and acknowledge the following tracts of Country, included within the Metes and Boundaries hereafter designated, as their respective territories, viz:

The territory of the Siwix or Dacotah nation commencing at the mouth of White Earth river, on the Missouri river - thence in a south-westerly direction to the forks of the Platte River - thence up the north fork of the Platte River to a point known as the Red Butte, or where the road leaves the river; - thence along the range of Mountains known as the Black Hills, to the head waters of Heart River; - thence down Heart River to its mouth; - and thence down the Missouri river to the place of beginning.

The territory of the Gros Ventres, Mandans, and Arrikeras nations, commencing at the mouth of Heart River - thence up the Missouri River to the mouth of the Yellow Stone River - thence up the Yellow Stone river to the mouth of Powder River - thence from the mouth of Powder River in a south-easterly direction to the head waters of the Little Missouri river - thence along the Black Hills to the head of Heart River - and thence down Heart River to the place of

beginning.

The territory of the Assinaboie Nation commencing at the mouth of the Yellowstone river - thence up the Missouri River to the mouth of the Muscle-Shell river - thence from the mouth of the Muscle-Shell river in a south easterly direction until it strikes the head waters of Big Dry Creek - thence down that creek to where it empties into the Yellowstone river nearly opposite the mouth of Powder River; - and thence down the Yellowstone river to the place of beginning.

The territory of the Blackfoot Nation - commencing at the mouth of the Muscle-Shell river - thence up the Missouri river to its source, thence along the main range of the Rocky Mountains in a southerly direction to the head waters of the northern source of the Yellowstone river; - thence down the Yellowstone river to the mouth of Twenty five yard Creek, thence across to the head waters of the Muscle Shell river, and thence down the Muscle Shell river to the place of beginning.

The territory of the Crow Nation, commencing at the mouth of Powder River on the Yellowstone, - thence up Powder River to its source, - thence along the main range of the Black Hills and Wind River Mountains to the head waters of the Yellowstone river, thence down the Yellowstone river to the mouth of Twenty five yard Creek - thence to the head waters of the Muscle Shell river thence down the Muscle Shell river to its mouth, - thence to the head waters of of Big Dry Creek, and thence to its mouth.

The territory of the Cheyennes and

Arappahoes, commencing at the Red Butte or place where the road leaves the north fork of the Platte River - thence up the north fork of the Platte River to its source - thence along the main range of the Rocky Mountains to the head waters of the Arkansas river - thence down the Arkansas river to the crossing of the Santa Fe road - thence in a northwesterly direction to the forks of the Platte river - and thence up the Platte river to the place of beginning.

It is however understood, that in making this recognition and acknowledgement, the aforesaid Indian Nations do not thereby abandon or prejudice any rights or claims they may have to other lands, and further that they do not surrender the privilege of hunting, fishing or passing over any of the tracts of country herein before described.

Article 6th The parties of the second part to this treaty, having selected principal or Head Chiefs for their respective nations, through whom all national business will hereafter be conducted, do hereby bind themselves to sustain said chiefs and their successors during good behaviour.

Article 7th In consideration of these treaty stipulations, and for the damages which have or may occur by reason thereof, to the Indian Nations - parties hereto, and for their maintainance, and the improvement of their moral and social condition, the United States bind themselves to deliver to the said Indian nations the sum of Fifty thousand dollars per annum for fifty years, in provisions, Merchandise, domestic animals and agricultural implements, in such proportion as may

be deemed best adapted to their condition by the President of the United States - to be distributed in proportion to the population of the aforesaid Indian nations.

Article 8th. It is understood and agreed that should any of the Indian nations, parties to this treaty, violate any of the provisions thereof, the United States may withhold the whole, or a portion of the annuities mentioned in the preceding article from the nation so offending, until in the opinion of the President of the United States proper satisfaction should have been made

In testimony whereof the said D. D. Mitchell and Thomas Fitzpatrick Commissioners as aforesaid, and the Chiefs, Head-men and Braves parties hereto have set their hands and affixed their marks, on the day and at the place first above written.

In presence of

A. B. Chambers, Secretary

S. Cooper, Col. U. S. Army

R. M. Chilton, Capt. 1st

Thos. S. Duncan, Capt. 1st Rifleman

Thos. G. Rhett, 1st Lt. Capt. R. M. K.

W. L. Elliott, 1st Lt. R. M. K.

A. Campbell

Interpreter for Sioux

John S. Smith

Interpreter for Cheyennes

Robert Meldrum

Interpreter for Crows

A. Culberts

Interpreter for Assinaboins and Gros Ventres.

Francois S. ~~Estalie~~

Interpreter for Arriekonas

John Pizelle

Interpreter for Arapahoes

B. Gratz, Brown

Robert Campbell

Edmund F. Choteau

D. D. Mitchell

Thomas Fitzpatrick

Commissary



Sioux

Mah-toe-wha<sup>his</sup> x you whey Dead  
 Mah-kah-toe<sup>his</sup> x zah-zah Dead  
 Bel-o-ton-kah<sup>his</sup> x tanga Living  
 Ka-kar-pah<sup>his</sup> x gi-gi Yellow Ears Dead  
 Mah-toe-sah<sup>his</sup> x py-ehis Dead  
 Mah-wha-tah-ni<sup>his</sup> x haws-kah Tall Mandan

Cheyennes

Wah-ha-nis<sup>his</sup> x setta  
 Voist-toe<sup>his</sup> x vitz  
 Nahk-ko<sup>his</sup> x me-ien  
 Kah-kah-y-voh<sup>his</sup> x gun-est

Arvapakoes

Be-ah-ti-a-gui<sup>his</sup> x sah  
 Neh-ni-bah<sup>his</sup> x seh-it  
 Beh-kah-jay<sup>his</sup> x beth-sah-es

Arickaras

Koun-hu-ti<sup>his</sup> x shan  
 Bi-atch-tah<sup>his</sup> x witch

Crows

Asa-tri-si<sup>his</sup> x sash  
 Dah-eh-pit-seh<sup>his</sup> x chi-es

Assiniboins

Mah-toe-wit<sup>his</sup> x ko  
 Toe-tah-ki-eh<sup>his</sup> x nau

Mandans & Gros Ventres

Kochk-pit-shi-toe<sup>his</sup> x pish  
 She-oh-mant<sup>his</sup> x ho

Sept. 17, 1851  
Treaty of Fort Laramie  
Sept. 17 - 1857

copy

Note. This treaty, being submitted to the Senate, was ratified with an amendment providing that 70,000 per year should be paid for 15 years. This was to be submitted to the Indians, but they were never got together for the purpose. The above amount has, however, been appropriated and distributed annually in goods - this year being the <sup>(1867)</sup> last of the fifteen.

Articles of a treaty made and concluded at Fort  
Saramie, in the Indian Territory between D. D. Mitchell  
Superintendent of Indian Affairs and Thomas Fitzpatrick,  
Indian Agent-Commissioner Specially appointed and  
authorized by the President of the United States of  
the first part; and the Chiefs, Head-men and  
braves of the following Indian Nations residing south  
of the Missouri river east of the Rocky Mountains,  
and north of the lines of Texas and New Mexico; - viz;  
the Sioux or Dak-co-to-ho, Cheyennes, Arapahoes, Crow,  
Assinaboins, Gros Ventres, Mandans and Arikaras,  
parties of the second part; on the seventeenth day  
of September, A. D. one thousand eight hundred  
and fifty one.

Article 1<sup>st</sup>. The aforesaid nations parties to this  
treaty having assembled for the purpose of establishing  
and confirming peaceful relations amongst themselves,  
do hereby covenant and agree to abstain in future  
from all hostilities whatever against each other; - to maintain  
good faith and friendship in all their mutual intercourse  
and to make an effective and lasting peace.

Article 2<sup>d</sup>. The aforesaid nations do hereby recognize  
the right of the United States Government to establish  
roads, Military and other Posts within their respective  
territories.

Article 3<sup>d</sup>. In consideration of the rights and priv-  
ileges acknowledged in the preceding article, the  
United States bind themselves to protect the afore-  
said Indian nations against the commission

of all depredations by the people of the United States, after the ratification of this treaty.

Article 4<sup>th</sup>. The aforesaid Indian nations do hereby agree and bind themselves to make restitution or Satisfaction for any wrongs committed, after the ratification of this treaty, by any band or individual of their people, or the people of the United States, whilst lawfully residing in, or passing through their respective territories.

Article 5<sup>th</sup>. The aforesaid Indian nations do hereby recognize and acknowledge the following tracts of Country, included within the Metes and boundaries hereafter designated, as their respective territories, Viz: -

The territory of the Sioux or Dacotah nation - commencing at the mouth of White Earth river, on the Missouri river - thence in a South-westerly direction to the forks of the Platte River, - thence up the north fork of the Platte River to a point known as the Red Gate or where the road leaves the river; thence along the range of Mountains known as the Black Hills, to the head waters of Heart River; thence down Heart River to its mouth; - and thence down the Missouri river to the place of beginning.

The territory of the Gros Ventre, Mandan, and Arickara nations. commencing at the mouth of Heart River - thence up the Missouri River to the mouth of the Yellow Stone river, - thence up the Yellow Stone river to the mouth of Powder River, -

thence from the mouth of Powder River in a south-easterly direction to the head waters of the Little Missouri river, thence along the Black Hills to the head of Heart River, and thence down Heart River to the place of beginning.

The territory of the Assingboin Nation. Commencing at the mouth of the Yellow Stone river, thence up the Missouri river to the mouth of the Muscle-Shell river, thence from the mouth of the Muscle-Shell river in a south-easterly direction until it strikes the head waters of Bigdry Creek, thence down that creek to where it empties into the Yellow Stone river, nearly opposite the mouth of Powder River, and thence down the Yellow Stone river to the place of beginning.

The territory of the Black Foot Nation. commencing at the mouth of the Muscle-Shell river, thence up the Missouri river to its source, thence along the main range of the Rocky Mountains in a southerly direction to the headwaters of the northern source of the Yellow Stone river, thence down the Yellow Stone river to the mouth of Twenty five yard Creek, thence across to the head waters of the Muscle-Shell river, and thence down the Muscle-Shell river to the place of beginning.

The territory of the Crow Nation. Commencing at the mouth of Powder River on the Yellow Stone, thence up Powder River to its source, thence along the main range of the Black Hills and Wind river Mountains to the head waters of the Yellow Stone river, thence down the Yellow Stone river to the mouth of Twenty five Yard Creek - thence to the head waters of the Muscle-Shell river thence down the Muscle-Shell river to its mouth, thence to the head waters of Big Dry Creek, and thence to its mouth.

The territory of the Cheyennes and Arapahoes. Commencing at the Red Butte, or place where the road leaves the north fork of the Platte River, - thence up the north fork of the Platte river to its source, - thence along the main range of the Rocky Mountains to the head waters of the Arkansas river, - thence down the Arkansas river to the crossing of the Santa Fe road, - thence in a north westerly direction to the forks of the Platte River, - and thence up the Platte River to the place of beginning.

It is however understood, that in making this recognition and acknowledgement, the aforesaid Indian Nations do not thereby abandon or prejudice any rights or claims they may have to other lands, and further, that they do not surrender the privilege of hunting, fishing or passing over any of the tracts of country

herein before described.

Article 6<sup>th</sup>. The parties of the second part to this treaty, having selected principal, or Head Chiefs for their respective nations, through whom all national business will hereafter be conducted, do hereby bind themselves to sustain said chiefs and their successors during good behaviour.

Article 7<sup>th</sup>. In consideration of these treaty stipulations, and for the damages which have, or may occur by reason thereof, to the Indian Nations parties hereto, and for their maintenance, and the improvement of their moral and social condition, the United States bind themselves to deliver to the said Indian nations the sum of Fifty thousand dollars per annum for fifty years, in provisions, Merchandise, domestic animals and agricultural implements, in such proportions as may be deemed best adapted to their condition, by the President of the United States, - to be distributed <sup>in proportion</sup> to the population of the aforesaid Indian nations.

Article 8<sup>th</sup>. It is understood and agreed that should any of the Indian nations, parties to this treaty, violate any of the provisions thereof, the United States may withhold the whole, or a portion of the annuities mentioned in the preceding article from the nation so offending, until in the opinion of the President of the United States

proper satisfaction should have been made.

In testimony whereof the said D. D. Mitchell and Thomas Fitzpatrick Commissioners as aforesaid, and the Chiefs, Head-men and Braves-partie hereto, have set their hands and affixed their marks, on the day and at the place first above written.

In presence of

A. B. Chambers, Secretary  
 S. Cooper, Col. U. S. Army  
 R. M. Shilton Capt 1st  
 Thos. Duncan Capt Mt'd Riflemen  
 Thos. G. R. Hett, Capt R. M. R.  
 W. L. Elliott 1st Lt R. M. R.  
 C. Campbell  
 Interpreter for Sioux  
 John S. Smith  
 Interpreter for Cheyennes  
 Robert Meldrum  
 Interpreter for Arrows  
 A. Culberts  
 Interpreter for Assinboins & Gros Ventres  
 Francois L. Etalie  
 Interpreter for Arickarais  
 John Pizelles  
 Interpreter of Arapahoes  
 B. Matz Brown  
 Robert Campbell  
 Edmund F. Chouteau

D. D. Mitchell  
 Thomas Fitzpatrick  
 Commissioners

Sioux;  
 Mah toe wha <sup>his</sup> you where  
 Mah kah toe <sup>mark</sup> zah zah  
 Del. O ton kah <sup>mark</sup> tanga  
 Mah ka pah <sup>his</sup> gi gi  
 Mah toe sah <sup>mark</sup> bi chis  
 Mah wha tah ni <sup>his</sup> hans kah  
 Cheyennes;  
 wah ha nis <sup>his</sup> setta  
 mark

Voist ti toe <sup>his</sup> vitz  
 mark

Nahk No <sup>his</sup> me ien  
 mark

Kah Kah y Voh <sup>his</sup> own est  
 mark

Arapahoes;  
 Deah ti a qui <sup>his</sup> sah  
 mark



7  
Neh ni bah <sup>his</sup> X seh st  
mark

Beh kah jay <sup>his</sup> X beth sahes  
mark

Grows;  
Ara tu ri <sup>his</sup> X sash  
mark

Danche pit seh <sup>his</sup> X chi es  
mark

Assimboimnes;  
Mah toe wit <sup>his</sup> X ko  
mark

Toe tah ki eh <sup>his</sup> X nan  
mark

Mandau & Gros Ventres;  
Nockk pit shi toe <sup>his</sup> X pish  
mark

She oh mant <sup>his</sup> X ho  
mark

Arickaros;

Koun hu ti <sup>his</sup> X shan  
mark

Pi etda tah <sup>his</sup> X witeh  
mark

Francis S. Hall, Surveyor for bricklayers  
John D'izelle, Engineer for the Carpenters  
B. Grady, Brewer  
Robert Campbell  
Edward S. Chouler

his  
salle  
marke

his  
retz  
marke

his  
me ien  
marke

his  
grot + amest  
marke

his  
grot + sah  
marke

his  
sch it  
marke

his  
sah is  
marke

his  
sah  
marke

his  
chi es  
marke

men  
men

Wye mi pinnes  
Ma h<sup>is</sup> pit + hu  
mark

She tah ki ch + nan  
mark

Mandans + Gops Ventres  
Noctik pit she we + pish  
mark  
She th mant + hu  
mark

Arriakart  
Krom hu' ti + shan  
mark

Bi atch tah + wetch  
mark

Articles of a treaty made and concluded at Fort Sumner,  
in the Indian Territory, between R. D. Mitchell Superintendent  
of Indian Affairs and Thomas Fitzpatrick, Indian Agent,  
Commissioners specially appointed and authorized by the Pres-  
ident of the United States, of the first part; and the Chiefs, Head-  
men and braves of the following Indian Nations residing south  
of the Missouri river, east of the Rocky Mountains, and north of  
the lines of Texas and New Mexico; - viz: the Sioux, Arapahoes,  
Cheyennes, Comanches, Kiowas, Kiowa-Arapahoes, Mandans  
and Arikaras, parties of the second part, on the seven-  
teenth day of September A. D. One thousand eight hundred  
and fifty one.

Article 1<sup>st</sup> The aforesaid nations-parties to this treaty, having  
assembled for the purpose of establishing and confirming peaceful  
relations amongst themselves, do hereby covenant and agree to  
abstain in future from all hostilities whatever against each  
other; - to maintain good faith and friendship in all their mu-  
tual intercourse, and to make an effective and lasting peace.

Article 2<sup>nd</sup> The aforesaid nations do hereby recognize the  
right of the United States Government to establish Posts, Military,  
and other Posts within their respective territories.

Article 3<sup>rd</sup> The aforesaid nations do hereby recognize the right of the United States Government to establish

Article 2<sup>nd</sup> The aforesaid nations do hereby recognize the right of the United States Government to establish Posts, Military, and other Posts within their respective territories.

Article 3<sup>rd</sup> Inasmuch as the aforesaid nations do hereby acknowledge in the preceding Article, the United States find themselves to protect the aforesaid Indian Nations against the commission of all depredations by the people of the said United States, after the ratification of this Treaty.

Article 4<sup>th</sup> The aforesaid Indian Nations do hereby agree and bind themselves to make restitution or satisfaction for any wrongs committed, after the ratification of this Treaty by any band or individual of their people, on the people of the United States, whilst lawfully residing in, or passing through their respective territories.

Article 5<sup>th</sup> The aforesaid Indian Nations do hereby recognize and acknowledge the following tracts of country, included within the metes and boundaries hereinafter designated, as their respective territories: viz: -

The territory of the Sioux or Dahaviah nation - Commencing at the mouth of White Earth river, on the Missouri river - thence in a south-westerly direction to the forks of the Platte River, - thence up the north fork of the Platte River to a point known as the Red Butte, or where the road leaves the river, - thence along the range of Mountains known as the Black Hills, to the head waters of Heart River; - thence down Heart River to its mouth, and thence

down the Missouri river to the place of beginning.

The territory of the Gros Ventre, Mandan, and Arickara Nations. Commencing at the mouth of Heart River - thence up the Missouri River to the mouth of the Yellow Stone river, - thence up the Yellow Stone river to the mouth of Powder River, - thence from the mouth of Powder River in a south-easterly direction to the head waters of the Little Missouri river, thence along the Black Hills to the head of Heart River, - and thence down Heart River to the place of beginning.

The territory of the Assinaboin Nation. Commencing at the mouth of Yellow Stone river, - thence up the Missouri river to the mouth of Mussel Shell river, - thence from the mouth of Mussel Shell river in a south easterly direction until it strikes the head waters of Big Horn Creek, - thence down that Creek to where it empties into the Yellow Stone river, nearly opposite the mouth of Powder river; - and thence down the Yellow Stone river to the place of beginning.

The territory of the Blackfoot Nation. Commencing at the mouth of Mussel-shell river, - thence up the Missouri river to its source, - thence along the main range of the Rocky Mountains in a southerly direction to the head waters of the northern source of the Yellow Stone river, - thence down the Yellow Stone river to the mouth of Twenty five Good Creek, - thence across to the head waters of the Mussel-shell river, - and thence down the Mussel-shell river to the place of beginning.

The territory of the Crow Nation. Commencing at the

northern source of the Yellow Stone river, - thence down the Yellow Stone river to the mouth of Twenty five Yard Creek, - thence across to the head waters of the Mussel-shell river, - and thence down the Mussel-shell river to the place of beginning.

The territory of the Crow Nation. Commencing at the mouth of Powder river on the Yellow Stone, - thence up Powder River to its source, - thence along the main range of the Black Hills and Wind river mountains to the head waters of the Yellow Stone river, thence down the Yellow Stone river to the mouth of Twenty five Yard Creek, - thence to the head waters of the Mussel-shell river, - thence down the Mussel-shell river to its mouth, - thence to the head waters of Big Dry Creek, and thence to its mouth.

The territory of the Cheyennes and Arapahoes. Commencing at the Red Butte, to the place where the road leaves the north fork of the Platte River, - thence up the north fork of the Platte River to its source, - thence along the main range of the Rocky Mountains to the head waters of the Arkansas river, - thence down the Arkansas river to the crossing of the Santa Fe road, - thence in a north westerly direction to the forks of the Platte river, - and thence up the Platte river to the place of beginning.

It is however understood, that in making this recognition and acknowledgement, the aforesaid Indian Nations do not thereby, abandon or prejudice any rights or claims they may have to other lands: and further, that they do not surrender the privilege of hunting, fishing, or trapping over any of the tracts of country herein before described.

Article 6<sup>th</sup> The parties of the second part to this treaty, having selected principal, or head Chiefs for their respective nations, through whom all national business will hereafter be conducted, do hereby bind themselves to sustain said Chiefs and their successors during good behaviour.

Article 7<sup>th</sup> In consideration of the treaty stipulations, and for the damages which have, or may result by reason thereof, to the Indian Nations - parties hereto, and for their maintenance, and the improvement of their moral and social condition, the United States bind themselves to deliver to the said Indian Nations the sum of Fifty thousand dollars per annum for fifty years in provisions, merchandize, domestic animals and agricultural implements, in such proportion as may be deemed best adapted to their condition, by the President of the United States - to be distributed in proportion to the population of the aforesaid Indian Nations.

Article 8<sup>th</sup> It is understood and agreed that should any of the Indian nations parties to this treaty, violate any of the provisions thereof, the United States may withhold the whole, or a portion of the annuities mentioned in the preceding article from the nation so offending, until in the opinion of the President of



Article 8<sup>th</sup> It is understood and agreed that should any of the Indian nations parties to this treaty, violate any of the provisions thereof, the United States may withhold the whole, or a portion of the annuities mentioned in the preceding article from the nation so offending, until in the opinion of the President of the United States, proper satisfaction shall have been made.

In testimony whereof, the said R. A. Mitchell and Thomas Fitzpatrick Commissioners as aforesaid, and the Chiefs, Head Men and Braves parties hereto, have set their hands and affixed their marks, on the day and at the place first above written.

R. A. Mitchell  
Thomas Fitzpatrick  
Commissioners

In presence of  
A. B. Chambers Secretary  
G. Cooper, Col. U.S. Army  
R. St. Clair Capt. 1st Regt  
Thomas Duncan Capt. 1st Regt Riflemen  
Wm. G. Rhetts Brs. Capt. R. M. R.  
W. G. Elliott 1st Lieut. R. M. R.  
C. Campbell Interpreter for Sioux  
John A. Smith Interpreter for Cheyennes  
Robert Meldrum Interpreter for the Crow  
A. Culbertson Interpreter for Assinaboins & Gros Ventres

Sioux  
Wah te what <sup>his</sup> you whey  
Wahkah te <sup>mark</sup> <sup>his</sup> yah yah  
Bel. i-wa kah <sup>mark</sup> <sup>his</sup> tangh  
Wah kah pah <sup>mark</sup> <sup>his</sup> gi gi  
Wah te sah <sup>mark</sup> <sup>his</sup> bi ahis  
Wah wha lah <sup>mark</sup> <sup>his</sup> wah kah

Francis S. Hall  
John D. S. S. S.  
B. G. B. B.  
Robert Campbell  
Edward S. S.

for his  
the companies

his  
salle  
mark

his  
mark

his  
mark

his  
mark

his  
mark

his  
mark

his  
mark

his  
mark

his  
mark

his  
mark

his  
mark

his  
mark

no

no

no

no

no

no

no

no

no

no

no

no

no

no

no

no

no

no

no

Up in <sup>his</sup> <sup>mark</sup> <sup>mark</sup>  
Muh <sup>his</sup> <sup>mark</sup> <sup>mark</sup>

She <sup>his</sup> <sup>mark</sup> <sup>mark</sup> <sup>mark</sup>  
tah <sup>his</sup> <sup>mark</sup> <sup>mark</sup> <sup>mark</sup>  
Ki <sup>his</sup> <sup>mark</sup> <sup>mark</sup> <sup>mark</sup>  
ch <sup>his</sup> <sup>mark</sup> <sup>mark</sup> <sup>mark</sup>  
& <sup>his</sup> <sup>mark</sup> <sup>mark</sup> <sup>mark</sup>  
nan <sup>his</sup> <sup>mark</sup> <sup>mark</sup> <sup>mark</sup>

Mandans & Goss <sup>his</sup> <sup>mark</sup> <sup>mark</sup>  
Ventre <sup>his</sup> <sup>mark</sup> <sup>mark</sup>  
Wotik <sup>his</sup> <sup>mark</sup> <sup>mark</sup> <sup>mark</sup>  
pit <sup>his</sup> <sup>mark</sup> <sup>mark</sup> <sup>mark</sup>  
She <sup>his</sup> <sup>mark</sup> <sup>mark</sup> <sup>mark</sup>  
ri <sup>his</sup> <sup>mark</sup> <sup>mark</sup> <sup>mark</sup>  
mant <sup>his</sup> <sup>mark</sup> <sup>mark</sup> <sup>mark</sup>  
& <sup>his</sup> <sup>mark</sup> <sup>mark</sup> <sup>mark</sup>  
su <sup>his</sup> <sup>mark</sup> <sup>mark</sup> <sup>mark</sup>  
mark <sup>his</sup> <sup>mark</sup> <sup>mark</sup> <sup>mark</sup>

Arriekars <sup>his</sup> <sup>mark</sup> <sup>mark</sup>  
Korn <sup>his</sup> <sup>mark</sup> <sup>mark</sup> <sup>mark</sup>  
hu <sup>his</sup> <sup>mark</sup> <sup>mark</sup> <sup>mark</sup>  
' <sup>his</sup> <sup>mark</sup> <sup>mark</sup> <sup>mark</sup>  
h <sup>his</sup> <sup>mark</sup> <sup>mark</sup> <sup>mark</sup>  
& <sup>his</sup> <sup>mark</sup> <sup>mark</sup> <sup>mark</sup>  
shan <sup>his</sup> <sup>mark</sup> <sup>mark</sup> <sup>mark</sup>

Bi <sup>his</sup> <sup>mark</sup> <sup>mark</sup> <sup>mark</sup>  
atch <sup>his</sup> <sup>mark</sup> <sup>mark</sup> <sup>mark</sup>  
tah <sup>his</sup> <sup>mark</sup> <sup>mark</sup> <sup>mark</sup>  
& <sup>his</sup> <sup>mark</sup> <sup>mark</sup> <sup>mark</sup>  
wetch <sup>his</sup> <sup>mark</sup> <sup>mark</sup> <sup>mark</sup>  
mark <sup>his</sup> <sup>mark</sup> <sup>mark</sup> <sup>mark</sup>

Sept. 17, 1851

Contract J 206

Upper Platte 18 53

Treaty

Mitchell & Fitzpatrick

up Platte, J. 206 '53

March 10 25

Oct 5 44

Drawn 3  
Dec 1

Articles of a Treaty made and concluded at Fort Laramie, in the Indian Territory, between G. B. Mitchell Superintendent of Indian Affairs and Thomas Fitzpatrick, Indian Agent - Commissioners Specially appointed and authorized by the President of the United States, of the first part; and the Chiefs, Head men and braves of the following Indian Nations residing south of the Missouri river, east of the Rocky Mountains, and north of the lines of Texas and New Mexico; - viz: the Sioux or Dacotahs, Cheyennes, Arapahoes, Crow, Assinaboins, Gros-Ventures, Mandans and Arikaras, parties of the second part; on the seventeenth day of September A. D. One thousand eight hundred and fifty One.

Article 1<sup>st</sup>. The aforesaid nations - parties to this Treaty, having assembled for the purpose of establishing and confirming peaceful relations amongst themselves, do hereby covenant and agree to abstain in future from all hostilities whatever against each other - to maintain good faith and friendship in all their mutual intercourse, and to make an effective and lasting peace.

Article 2<sup>nd</sup>. The aforesaid nations do hereby recognize the right of the United States Government to establish roads, Military, and other Posts within their respective territories.

Article 3<sup>rd</sup>. In consideration of the rights and privileges acknowledged in the preceding article, the United States bind themselves to protect the aforesaid Indian Nations against the commission of all depredations by the people of the United States, after the ratification of this Treaty.

Article 4<sup>th</sup>. The aforesaid Indian Nations do hereby agree and bind themselves to make restitution or satisfaction for wrongs committed, after the ratification of this Treaty, by any band or individual of their people, on the people of the United States, whilst lawfully residing in, or passing through their respective territories.

Article 5<sup>th</sup>. The aforesaid Indian Nations do hereby recognize and acknowledge the following tracts of Country, included within the limits and boundaries hereinafter designated, as their respective territories. - viz: -

The territory of the Sioux or Dacotah Nation. - Commencing at the mouth of White Earth river, on the Missouri river thence in a South westerly direction to the forks of the Platte River, - thence up the north side of the Platte River to a point known as the Red Butte, where the road leaves the river - thence along the range of Mountains known as the Black Hills, to the head waters of Heart River; - thence down Heart River to its mouth; - and thence down the Missouri river to the place of beginning.

The territory of the Gros Ventre, Mandan, and Arikara Nations. Commencing at the mouth of Heart River thence up the Missouri river to the mouth of the Yellow Stone river, - thence up the Yellow Stone river to the mouth of Powder River, - thence from the mouth of Powder River in a South easterly direction to the head waters of the Little Missouri river, thence along the Black Hills to the head of Heart River, - and thence down Heart River to the place of beginning.

The territory of the Assinaboin Nation. Commencing at the mouth of Yellow Stone river, - thence up the Missouri river to the mouth of the Mussel-shell river, - thence from the mouth of the Mussel-shell river in a South easterly direction until it strikes the head waters of Big Dry Creek, - thence down that creek to where it empties into the Yellow Stone river, nearly opposite the mouth of Powder River; - and thence down the Yellow Stone river to the place of

Powder River, - thence from the mouth of Powder River in a South-easterly direction to the head of Heart River, - and thence down Heart River to the place of beginning.

The Territory of the Assinaboin Nation. Commencing at the mouth of the Yellow Stone river, - thence up the Missouri river to the mouth of the Muscle-shell river, - thence from the mouth of the Muscle-shell river in a South-easterly direction until it strikes the head waters of Big Dry Creek, - thence down that creek to where it empties into the Yellow Stone river, nearly opposite the mouth of Powder River, - and thence down the Yellow Stone river to the place of beginning.

The Territory of the Black Foot Nation. Commencing at the mouth of the Muscle-shell river, - thence up the Missouri river to its source, - thence along the main range of the Rocky Mountains, in a South-easterly direction to the head waters of the northern source of the Yellow Stone river, - thence down the Yellow Stone river to the mouth of Twenty-five Gulch Creek, - thence across to the head waters of the Muscle-shell river, - and thence down the Muscle-shell river to the place of beginning.

The Territory of the Crow Nation. Commencing at the mouth of Powder River in the Yellow Stone, - thence up Powder River to its source, - thence along the main range of the Black Hills and Wind river Mountains to the head waters of the Yellow Stone river, - thence down the Yellow Stone river to the mouth of Twenty-five Gulch Creek, - thence to the head waters of the Muscle-shell river, - thence down the Muscle-shell river to its mouth, - thence to the head waters of Big Dry Creek, and thence to its mouth.

The Territory of the Cheyennes and Arapanches. Commencing at the Red Butte, or the place where the main range of the Rocky Mountains to the head waters of the Arkansas river, - thence down the Arkansas river to the crossing of the Santa Fe road, - thence in a North-westerly direction to the forks of the Platte river, - and thence up the Platte river to the place of beginning.

It is however understood, that in making this recognition and acknowledgment, the aforesaid Indian Nations do not thereby abandon or prejudice any rights or claims they may have to other lands; and further, that they do not surrender the privilege of hunting, fishing, or passing over any of the tracts of Country herein before described.

Article 6<sup>th</sup>. The parties of the second part to this treaty, having selected principal, a Head Chief for their respective Nations, through whom all national business will hereafter be conducted, do hereby bind themselves to sustain said Chiefs and their successors during good behavior.

Article 7<sup>th</sup>. In consideration of these treaty stipulations, and for the damages which have, or may occur by reason thereof, to the Indian Nations - parties hereto, and for their maintenance, and the improvement of their moral and social condition, the United States bind themselves to deliver to the said Indian Nations the sum of Fifty thousand dollars per annum for fifty years in provisions, merchandise, domestic animals and agricultural implements, in such proportions as may be deemed best adapted to their condition, by the President of the United States - to be distributed in proportion to the population of the aforesaid Indian Nations.

Article 8<sup>th</sup>. It is understood and agreed that should any of the Indian Nations, parties to this treaty, violate any of the provisions thereof, the United States may withhold the whole, or a portion of the annuity mentioned in the preceding article from the nation so offending, until in the opinion of the President of the United States, proper satisfaction has been made.

In testimony whereof, the said D. D. Mitchell and Thomas Fitzpatrick Commissioners as aforesaid, and the Chiefs, Head men and Braves - parties hereto, have set their hands and affixed their marks, on this day and at the place just above written.

Article 8<sup>th</sup>. It is understood and agreed that should any of the Indian Nations, parties to this treaty, violate any of the provisions thereof, the United States may withhold the whole, or a portion of the annuities mentioned in the preceding article from the nation, so offending, until in the opinion of the President of the United States, proper satisfaction has been made.

In testimony whereof, the said D. D. Mitchell and Thomas Fitzpatrick Commissioners as aforesaid, and the Chief, Head men and Braves-parties hereto, have set their hands and affixed their marks, on this day and at the place first above written.

In presence of

A. B. Chambers, Secretary

L. Cooper, Col. U.S. Army

W. M. Hilton, Capt. U.S. Army

Thomas Duncan, Capt. U.S. Riflemen

Thos. H. Whitt, Bot. Capt. R.M.R.

W. L. Elliott, 1<sup>st</sup> Lt. R.M.R.

E. Campbell Interpreter for Sioux

John Smith Interpreter for Cheyennes

Robert Meldrum Interpreter for the Crow

A. Culbertson Interpreter for Apinamis & Gros Ventre

Francois L'Etie, Interpreter for Arickaras

John Fyell Interpreter for the Arapahoes

B. Matz Brown

Robert Campbell

Edmond McCreau

D. D. Mitchell

Thomas Fitzpatrick  
Commissioners

Sioux

Maah toe what you what

Maah Kahi toe yak yak

Bel. o. tou Kahi tanga

Maah Ka pah gi gi

Maah toe Sabi bi chis

Maah wha tah in hians Kahi

Cheyennes

Wah hai mis setta

Koost-ti toe vety

Kahk. Ko me ion

Maah Kahi y' w'cum ist

Maah Kahi

Koost-ti a' ou Sah

078  
Arapahoe  
his  
Biak ti a qux Sah  
mark

Keh ni bah x Sah it  
mark

Peh Kah. his  
his x Sah es  
mark

Crowd.

his  
Ara tu x Sah  
mark

his  
Dah pit x Sah  
mark

Assinibonnes

his  
Wah to wit x Sah  
mark

his  
To lah Ki x man  
mark

Alondah Gos Ventur.

his  
Tah pit x Sah  
mark  
Sah ah want x Sah  
mark

Arickarad

his  
Kau hi x Sah  
mark

his  
Bi ach x Sah  
mark

4034



Central Superintendency M 1544  
Central Suptcy M 1599  
1851

D. D. Mitchell  
St Louis Nov. 11. 1851

Transmit his report and treaty  
recently concluded at Fort Laramie  
between himself & Agent Fitzpatrick  
as Com<sup>d</sup> of the various Prairie  
& Mountain Tribes.

Make copy to accompany  
report to  
Secy of Interior.

Rec<sup>d</sup> - 26 Nov. 1851.

Act: Dec-2<sup>o</sup> 1851

26 - Cir - File  
1-4

Office Super. Indian Affairs  
St Louis November 11<sup>th</sup>. 1857.

Sir:

I have the honor hereunto to transmit a treaty concluded at Fort Laramie, between myself and Agent Fitzpatrick, Commissioners on the part of the United States; and the following tribes or nations of the Prairie and Mountain Indians - viz: Sioux or Dakotas, Assinabons, Arickeras, Gros Ventres, Lemis, Cheyennes and Comanches.

In order to assemble the various, and widely scattered tribes at some suitable point, I dispatched expeditions up the Missouri, Arkansas and Platte rivers, early in the Spring, with such letters and instructions as I deemed best calculated to insure the attendance of the Indians. The point designated by me for holding the Council was Fort Laramie, and the time fixed for the first of September.

I left St Louis on the 24<sup>th</sup> of July, and reached Fort Laramie on the 31<sup>st</sup> of August, where I found the above named tribes assembled, and impatiently expecting my arrival. Up to this time, the different tribes had no intercourse with each other, and had remained encamped on both sides of the river some distance apart. I at once called as many of the principal men together as could speedily be assembled, and explained the objects of the proposed treaty. On this occasion I succeeded in prevailing upon them to agree upon a place that should be occupied as a general camping ground during the pendency of the Council; this was done with less difficulty than I anticipated, considering the number of conflicting interests among the Whites, and the jealous and prejudiced among the Indians, that had to be reconciled.

We were eighteen days encamped together, during which time the Indians conducted themselves in a manner that excited the admiration and surprise of every one. The different tribes although hereditary enemies, interchanged daily visits, both in their national and individual capacities; smoked and feasted together; exchanged presents; adopted each others children according to their own customs, and done all that was held sacred, or solemn in the eyes of these Indians, to prove the sincerity of their peaceful and friendly intentions - both amongst themselves, and with the Citizens of the United States, lawfully residing among them, or passing through the Country.

The most important provisions in the accompanying treat

I Consider to be the following - 1<sup>st</sup>. The right acknowledged, and granted  
on the part of the Indians, to the United States, to establish roads, mills,  
and other posts throughout the Indian Country, so far as they claim  
a exercise ownership over it. 2<sup>nd</sup>. The solemn obligations they have  
entered into, to maintain peaceful relations among themselves, and to  
abstain from all depredations upon the Whites passing through the  
Country, and to make restitution for any damage or loss that a  
White man shall sustain by the acts of their people. 3<sup>rd</sup>. The  
settling up of all former Complaints on the part of the Indians for  
the destruction of their Buffalo, timber, grass &c. caused by the  
passing of the Whites through their Country; the presents received at  
the time were considered as full payment. 4<sup>th</sup>. The promised  
Annuity of \$50,000. for fifty years, to be delivered in such articles as  
their Changing Conditions may from time to time require. As this is  
the only article in the treaty that will cost money to the Government,  
I will briefly state the reasons by which I was influenced, and the  
good results which I believe it will ultimately produce.

Fifty thousand dollars for a limited period of years is a small  
amount to be distributed among at least fifty thousand Indians, especially  
when we consider that we have killed, or are rapidly killing us off  
from them all means of support, by what may be considered a partial  
Occupancy of their Soil. On the score of economy, to say nothing of  
justice or humanity, I believe that amount would be well expended.  
In the Opinions of the best informed persons (who had an opportunity  
of judging) it will in all probability save the Country from the ruinous  
and useless expenses of a war against the Prairie tribes, which  
would cost many Millions, and be productive of nothing but increased  
feelings of hostility on the part of the Indians, and an annoyance  
and vexation to the Government. The lessons of experience taught us  
during the Florida war, and which are now being taught us by the Indian  
wars in New Mexico, all admonish us of the necessity of avoiding Indian  
wars if possible. Humanity calls loudly for some interposition on the part  
of the American Government to save if possible, some portion of these ill  
fated tribes; and this it is thought, can only be done by furnishing them with  
the means, and gradually turning their attention to agricultural pursuits.  
Without some aid from the Government it will be impossible for them to make  
an attempt even as graziers. Fifty years, it was thought, would be

time sufficient to give the experiment a fair trial, and solve the great problem - whether or not an Indian can be made a civilized man.

The laying off of the Country into geographical, or rather National domains, I regard as a very important measure, inasmuch as it will take away a great cause of quarrel among themselves, and at the same time enable the Government to ascertain, who are the dependents - should dependents be hereafter committed. The accompanying map, upon which these National boundaries are clearly marked and defined, was made in the presence of the Indians, and fully approved and sanctioned by all. As a map of reference it will be of great service to the Department.

Viewing the treaty in all its provisions, I am clearly of opinion that it is the best that could have been made for both parties. I am moreover of the opinion that it will be as faithfully observed, and carried out in good faith on the part of the Indians, as it will on the part of the United States, and the white people thereof. There was an earnest solemnity, and a deep conviction of the necessity of adopting some such measure, evident in the conduct and manners of the Indians throughout the whole Council. On leaving for their respective homes, and bidding each other adieu, they gave the strongest possible evidence of their friendly intentions for the future, and the mutual confidence and good faith which they had in each other. Invitations were freely given, and as freely accepted by each of the tribes to interchange visits, talk and smoke together like brothers upon grounds where they had never before met, but for the purpose of scalping each other. This, to my mind, was conclusive evidence of the sincerity of the Indians, and nothing but bad management, or some untoward misfortune can ever break it.

Respectfully your Obedt Servt,

J. D. Mitchell

Supt. Ind. Affs.

Hon. S. Lea  
Com. Ind. Affairs

Central Supply Miss  
D. D. Mitchell  
St Louis Nov. 12, 1851

States that he has forwarded by  
express treaty recently made with  
Prairie Indians at Fort Laramie, with  
his report and a map.

Recd. 20 Nov. 1851  
Ack: Nov. 22<sup>d</sup> 1851  
- J. W. W.

ADAMS & CO'S EASTERN, WESTERN AND SOUTHERN EXPRESS,

NO. 20 OLIVE ST. H. P. LATHROP & CO., Agts.

SAINT LOUIS, 12<sup>th</sup> Nov 1851.

Received of *Chas D Mitchell*  
*One box or trunk case*  
*Marked Am B Sea*  
*As per Customs*

which we promise to forward and deliver as addressed, loss by fire, perils of navigation, breakage and leakage excepted.

For Proprietors,

*John Ballou*

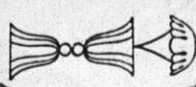
*Very respectfully I am*  
*J. M. St. L.*

*D. D. Mitchell*  
*Supt. Du. P. offi.*

*Am. G. Sea*  
*Case No. 1103*

OFFICES:

- BOSTON, No. 84 Washington Street.
- NEW YORK, No. 16 Wall Street.
- PHILADELPHIA, No. 80 Chestnut Street.
- WASHINGTON, Pennsylvania Avenue.
- BALTIMORE, No. 162 Baltimore Street.
- PITTSBURG, Baker & Forsyth, Agents.
- WHEELING, Forsyth & Baker, "
- CINCINNATI, No. 15 East Third Street.
- LOUISVILLE, No. 556 Main Street.
- NEW ORLEANS, Stimson & Co., Agents.



Sir

Office Super<sup>r</sup> Ind. Affairs  
Louis Nov. 12. 1851

I have the honor to inform you that I have this day forwarded by the express line of Adams & Co., a tin case containing the treaty with the Indians of the Prairie, recently concluded at Fort Taramie, accompanied by my Special Report, & by which I consider one of the most accurate maps of this section of Country yet constructed.

Very respectfully I am Sir

D. D. Mitchell

Super<sup>r</sup> Ind. Affairs

Super<sup>r</sup> Ind. Affairs

Wm. G. New  
Cust. Sec. No 3

Upper Platte 1553  
Great United States  
May 1854

---

Amendment to the  
Treaty of Fort Saramieo  
Concluded on the 17th  
September 1851

file with - Upper Platte, J. 206, } 53  
being Ft Saramieo treaty, } P. 37  
amendment to  
of "Treaties" } in file box

---

W. J. Hill



Handwritten notes on a dark, torn piece of paper. The text is partially obscured by a dark smudge at the top. The legible text includes:

... for file, until  
... Indian in obtained  
... Potlavin's treaty of  
... and Senate amend  
... ment. Hereto.

---

8-57

[Upper Platte  
S-206, 1853]

Recd 2 May 53

W. H. ...  
9-17-51

Aug. 31, 1858

The Amendment  
to the  
Treaty of Laramie

Ms. Platte 6570

(1858)

9-17-51

We the undersigned Chiefs, Headmen and Braves of the following named tribes, viz: Cheyennes, Arapahoes, and Sioux of the Platte, parties to the treaty concluded at Fort Saramie, on the 19<sup>th</sup> day of September, one thousand eight hundred and fifty-one, having had fully explained to us the amendment made to the 7<sup>th</sup> article thereof by the Senate of the United States on the 24<sup>th</sup> of May, 1852, which is in the following words, "Article 7- Strike out the words "fifty-years;" and insert: - the term of ten years with the right to continue the same, at the discretion of the President of the United States, for a period not exceeding five years thereafter" - do hereby accept and consent to the said amendment or modification of the treaty as aforesaid.

South Platte. 31<sup>st</sup> August 1853.

In presence of

	Cheyennes -
Phat Brown	Mah a nas <sup>his</sup> x satta (The man that walks)
Wm. Bent	Noh <sup>his</sup> kah <sup>mark</sup> x youk com <sup>his</sup> est (White Antelope)
John Pissal	Noi ti <sup>mark</sup> tor <sup>his</sup> ois (White Cow)
Geo M Alexander	Nah <sup>his</sup> ki <sup>mark</sup> x me <sup>his</sup> ier (Old Bark)
Auguste Lucien	Kah <sup>his</sup> vi <sup>mark</sup> ah <sup>his</sup> ne <sup>his</sup> viz (Little Chief)
Geo Collier	Mark <sup>his</sup> x tah <sup>mark</sup> be <sup>his</sup> ah (Black leg)

Arapahoes -

	Neh ni <sup>his</sup> rah <sup>mark</sup> x se (The big man)
	Pat <sup>his</sup> te a <sup>mark</sup> qui <sup>his</sup> x che (Little Owl)

Arapahoes-

Peh keh ni<sup>his</sup> x sah es (The Bird Head)

Wo ki neh<sup>his</sup> x kah ni (Yellow Bear)

Cha sa<sup>his</sup> ni it (Dirty Face)

Ah lach<sup>his</sup> x cha (The Bull)

Nah ko<sup>his</sup> x vas ti (Storm)

Signed by the Sioux

In presence of

Chief  
P. Metz Brown  
Secretary

Fort Laramie Sep 15th 1853.

Sioux.

Mah too<sup>his</sup> x nu you ny (The Bear meat)

Mah kah too<sup>his</sup> x zah zab (dead)

Nahk a<sup>his</sup> x pah go go (Yellow Ears)

Mah too<sup>his</sup> x see see (The Standing Bear)

Oh too<sup>his</sup> x lah (The burdenned)

Shu e<sup>his</sup> nu<sup>his</sup> va lu sa (Hagle Body)

Sho<sup>his</sup> x tah (Smoke)

Oa<sup>his</sup> x see che (The bad wound)

Wam<sup>his</sup> be<sup>his</sup> le mah ka (Medicine Eagle)

Tah sho<sup>his</sup> ke<sup>his</sup> ke<sup>his</sup> ke<sup>his</sup> pat (The man afraid of his horses)

Kah re<sup>his</sup> x tante kas (The Big Crow)

W. B. Thompson  
2d Secy  
J. B. Green  
1st Secy  
C. M. V. City  
Comdg.

Geo. W. Wharmour  
Interpreter

112

555

Upper Platt

S-555  
1854

Upper Platt

Upper Platt

Upper Platt

We the undersigned, Chiefs, Headmen, and Braves of the following named tribes, viz: "Crow, Assinaboins, Gros Ventres, Mandans, Arrikeras, and Sioux of the Missouri, parties to the treaty concluded at Fort Laramie, on the 17<sup>th</sup> day of September, One thousand eight hundred and fifty-one, having had fully explained to us the amendment made to the 7<sup>th</sup> Article thereof, by the Senate of the United States on the 24<sup>th</sup> of May, 1852, which is in the following words; "Article 7 - Strike out the words "fifty years"; and insert; - the term of ten years with the right to continue the same, at the discretion of the President of the United States, for a period not exceeding five years thereafter", do hereby accept and consent to the said amendment or modification of the treaty as aforesaid.

In presence of,

Jephys <sup>his</sup> <sub>mark</sub>	Assinaboins Int.	Sioux	Mah he sah <sup>his</sup> <sub>mark</sub> <sup>wicki</sup>
John B. Gandy			
H. Culbertson	La dancapapi	Oh me Duck by the Riv	
John Love		The wa Kan na gi	
W. H. Gray		La backe de Medecine qui est dand	
C. G. ...		Ohm - lu ta <sup>his</sup> <sub>mark</sub> or	Red Star
		Con ha - wa - ar - wa <sup>his</sup> <sub>mark</sub> or	Crow - ...

Assiniboiny

To ka' ke' ch man

As sim pe' pis

To ka' ke' ch man

To ka' ke' ch man

To ka' ke' ch man

To ka' ke' ch man

To ka' ke' ch man

To ka' ke' ch man

To ka' ke' ch man

To ka' ke' ch man

To ka' ke' ch man

To ka' ke' ch man

To ka' ke' ch man

To ka' ke' ch man

To ka' ke' ch man

To ka' ke' ch man

To ka' ke' ch man

To ka' ke' ch man

To ka' ke' ch man

To ka' ke' ch man

To ka' ke' ch man

To ka' ke' ch man

To ka' ke' ch man

To ka' ke' ch man

To ka' ke' ch man

To ka' ke' ch man

To ka' ke' ch man

his  
x  
mark  
his  
x  
mark  
his  
x  
mark

The four Bear  
The two young man  
The Prairie chicken Bear

On the tribe  
Big Hunt  
Crow Chief

White Chief  
Long Pull  
Pushing Bear

Witness  
C. T. Dawson Int. Supt.  
John Bussey  
James Kipp  
S. A. Constable

Witness  
C. T. Dawson Int. Supt.  
John Bussey  
James Kipp  
S. A. Constable

Witness  
C. T. Dawson Int. Supt.  
John Bussey  
James Kipp  
S. A. Constable  
Reginald Langman  
And a/g

Mandans  
Ky ce uaffo chf  
Doong high tay  
Taw ka may shaw

Arichians  
Koon-ough Jay-shaw  
O-Cop tyby-chaw  
Koon-ough Naby-nugh

his  
x  
mark  
his  
x  
mark  
his  
x  
mark

his  
x  
mark  
his  
x  
mark  
his  
x  
mark

Upper Missouri  
A. Cunningham  
St. Louis July 25

497

Transmits letter of Agent  
Warrington rel. to suspensions  
and disallowances in his  
acc't for a part of 1853,  
p. 17 & p. 54 - also, a part  
of Crow Chiefs to Senate's  
Amendments to the Treaty  
of St. James Sept 17, 1851

Rec'd July 7, 55

Accts " 11<sup>th</sup>

Explanation of 1<sup>st</sup> to 2<sup>nd</sup> Ambler  
Apr 18, 1855 - see letter  
a. C. C. at p. 16, 55

J. M. ...



Sr.

Office Supt. Ind. Affs  
Kans July 2. 1855

I have the honor to transmit a letter  
from Agent Laughlin to Supt. Comman, in explanation  
of certain suspensions & disallowances, made in settlement of  
his accounts for a part of 1853 & for the year 1854.

I also enclose a document received from them, being  
the account of the Com. Chiefs in the Senate, amendments  
to the Treaty of Fort Laramie of Sep 1851.

Very respectfully  
Yours

Wm. W. L.

John H. Smith

Ch. in charge office

Hon. Geo. W. Manning  
Com. Ind. Affs

a

16

C1499  
Upper Missouri  
1855

We the Undersigned, Chiefs, Headmen  
and Braves of the following named tribes, viz:  
Crow Indians.

parties to the treaty concluded at Fort Laramie on  
the 17<sup>th</sup> day of September one thousand eight hun-  
dred and fifty one, having had fully explained  
to us the amendment made to the 7<sup>th</sup> Article thereof  
by the Senate of the United States on the 24<sup>th</sup> of May  
1852, which is in the following words "Article 7- Strike  
out the words "fifty Years" and insert: the term of  
ten years with the right to continue the same at the  
discretion of the President of the United States, for a  
period of not exceeding five years thereafter" do here-  
by accept and consent to the said amendment or  
modification of the treaty as aforesaid

In presence of  
R. Meldrum Interpreter  
J. A. Chambers  
H. V. Hayden

Pat. Sai - it - sa. Katcha  
Pee - Poo - us.  
Chee - See - Pooch  
Et - a - nak - a Shook  
Am - mak - hach - ba

his  
mark  
his  
mark  
his  
mark  
his  
mark  
his  
mark  
his  
mark

I do hereby certify on honor that the ~~following~~  
~~amendment~~ was fully explained to the  
Crow Tribe of Indians in council assembled  
and they gave their assent freely and voluntarily  
in my presence Sept 18<sup>th</sup> 1854

Alfred Vaughan  
Ind a J

1-5

5a 9-17-51

7

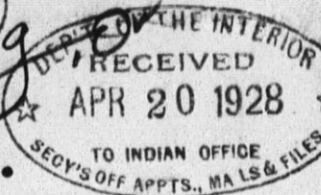


DEPARTMENT OF STATE  
WASHINGTON



In reply refer to  
SO 711.11 Indian 11/-

April 19 1928



The Honorable

The Secretary of the Interior.

Sir:

I have the honor to refer to your Department's letter of October 30, 1926, transmitting the original so-called Fort Laramie Treaty concluded between the United States and certain bands and tribes of Indians on September 17, 1851, and three papers containing the assent of participating tribes to the amendment of the treaty proposed by the Senate of the United States. It appears that the treaty has never been formally ratified or proclaimed, and you request that the matter be laid before the President with a request for formal proclamation of the treaty as to the eight signatory tribes specified in the concluding paragraph of your letter.

In this connection your attention is invited to the provisions of Section 2079 of the Revised Statutes of the United States, which reads as follows:

"No Indian nation or tribe within the territory of the United States shall be acknowledged

or

"or recognized as an independent nation, tribe, or power with whom the United States may contract by treaty; but no obligation of any treaty lawfully made and ratified with any such Indian nation or tribe prior to March 3, 1871, shall be hereby violated or impaired."

It is probable that ratification of the treaty at this time would be in contravention of the provision of law above quoted, and it may also be questioned whether, as a matter of law, the treaty has been duly ratified by all the signatory bands and tribes of Indians so as to warrant ratification by the President, if that action were otherwise unobjectionable.

For the reason stated, the Department does not feel that it would be warranted in submitting the treaty to the President with a request for its ratification and proclamation.

The original enclosures which accompanied your letter and which are specified in the first paragraph hereof are returned herewith.

I have the honor to be, Sir,

Your obedient servant,

*James B. Harvey*

Enclosures:  
As above.

L - C  
20262-28UNITED STATES  
DEPARTMENT OF THE INTERIOR  
OFFICE OF INDIAN AFFAIRS

WASHINGTON May 17, 1928.


## MEMORANDUM

for  
Assistant Secretary Edwards:

The purpose of the letter formerly submitted, addressed to the Secretary of State, for the signature of the Secretary of this Department, was to acknowledge the receipt of the returned papers, and to answer the statement of the Department of State, that it may be questioned whether as a matter of law the treaty has been duly ratified by all the signatory bands and tribes of Indians.

This statement was quoted and the ratification therein mentioned referred only to the ratification by the tribes, as stated in the letter from the Department of State, and did not refer to ratification by the President. There is no question as to the lack of ratification by the President of the United States, nor is there any question as to the ratification by all the signatory bands and tribes of Indians. However, the provisions of the treaty have all been fulfilled, and the only purpose in obtaining a ratification by the President at this time was to obtain its publication in the Statutes at Large.

In view of the above, the prior letter is hereby recalled, and the purpose of the present letter is to acknowledge the receipt of the papers in the case, in order that the records will be complete and to show where they may be hereafter located.

  
Acting Commissioner.

Mr. Meritt:

This is O. K.

You initialed the letter which went to the Department, but to which Mr. Reeves took exception and was returned by Secretary Edwards.

We have rewritten the letter, and the memorandum explains to the Department why took the position in the first letter.

Daiker.

Laud  
Why not  
file without  
further  
action?

EMM

L-C  
82169-21  
15012-23  
POT

October 26, 1936.

MEMORANDUM  
for  
Mr. Layne:

*Solicitor for Indian Affairs*

Concerning the connection of the  
Blackfeet Nation of Indians with  
the Fort Laramie Treaty.

Under date of May 26, 1851, the Commissioner of Indian Affairs instructed Mr. D. D. Mitchell to negotiate a treaty with certain tribes and nations of Indians owning or claiming the country through which the inland routes pass to Oregon, California, Utah, and New Mexico. These routes were all south of the Missouri River and the treaty would necessarily be made with tribes or nations of Indians between the Missouri River and the northern limits of Texas and New Mexico.

As to the location of the Blackfeet tribe or nation of Indians at about this time or, in fact, later, attention is called to the report of the Commissioner of Indian Affairs for 1858. On page 79 of this report appears the following:

The portion of country claimed and occupied by the Blackfeet nation is generally conceded to be bounded as follows: by a line beginning on the north where the 50th parallel crosses the Rocky Mountains; thence east on said parallel to the 106th meridian; thence south to the head waters of the Milk River, down said river to the Missouri to the mouth of the Judith; thence up the Judith to its source to the Rocky Mountains, and north along their base to place of beginning.

From the description above quoted from the report of the Commissioner for 1858, it appears that the lands of the Blackfeet nation

INITIALING COPY

*This memo obtained by  
J. H. Brown from  
Indian Affairs file E. B. S.*



were partly in the United States and partly in Canada, and that they at that time laid no claim to any lands south of the Missouri River.

In article five of the treaty of Fort Laramie there is a certain described territory set apart for the Blackfeet nation of Indians lying generally between the Missouri and Mussleshell rivers with its western border the main range of the Rocky Mountains and southern and eastern borders the Yellowstone and Mussleshell rivers. This territory is all south of the Missouri River.

There has been located nothing to show that the Blackfeet nation of Indians ever laid claim to any lands south of the Missouri River prior to the treaty of Fort Laramie, and the Commissioner's report for 1858 shows that they were not at that time asserting claim to any lands lying to the south of the main stream of the Missouri. There is nothing to show why the Blackfeet nation of Indians was mentioned in the treaty of Fort Laramie if it was the intention of the treaty to set aside a certain territory for them.

The records show that there was a band of Sioux known as the Blackfoot band. As the entire Sioux nation was participant to the treaty of Fort Laramie the Blackfoot band was, of necessity, a party thereto.

The treaty of Fort Laramie purports to be a treaty between the Commissioners especially appointed and authorized by the President of the United States, and the chiefs, headmen and braves of certain Indian nations residing south of the Missouri River, east of the

Rocky Mountains, and north of the lines of Texas and New Mexico, and names them as being the Sioux or Dakotahs, Cheyennes, Arapahos, Crows, Gros Ventres, Mandans and Arickarees. The number of tribes named as being parties to this treaty is eight. On page 1899, Part 4 - Hearings before the Subcommittee of the Joint Congressional Committee on the Investigation of the Northern Pacific Railroad Land Grants, lines 10, 11 and 12, appears a short paragraph reading as follows:

As heretofore stated, the original documents now in the archives of the Indian Office show the formal assent of all the eight tribes of Indians who were parties to the Fort Laramie treaty of 1851.

It would appear that at the time it was written it was considered that only eight tribes were parties to the treaty and, presumably, those eight were mentioned in the heading of the treaty. The only statement that can be located to the effect that the Blackfeet nation was a party to the treaty of Fort Laramie appears on page 1923 of Part 4 of the hearings above referred to.

The only intimation that can be located that the Blackfeet or any other nation - <sup>could</sup> later become actually a party to the Fort Laramie treaty is found in the special report of E. D. Mitchell of October 25, 1851, published in the report of the Commissioner of Indian Affairs for 1851, page 322. The report of Mr. Mitchell contains (page 325) the statement that the treaty -

will enable the Mountain and Prairie tribes, parties thereto, as well as others that may come in as parties hereafter, gradually to become agriculturists and herdsmen.

The Commissioner's report for 1852 states on page 357, that it was desirable to make the Comanches, Kiowas, and other wild tribes on the Arkansas River parties to the Fort Laramie treaty, but it can not be found where the inclusion of the Blackfeet nation was ever considered.

The report of the Commissioner of Indian Affairs for 1853, pages 320-354, still further bears out the belief that the Blackfeet were not parties to the Fort Laramie treaty, and it is distinctly reported on page 357 that no treaty had ever been entered into with this nation.

L-C  
82169-21  
20262-28  
FGT

THE SECRETARY OF THE INTERIOR  
WASHINGTON

*Harold G. ...*  
*5/11/28*  
*Meritt*  
*Banks*

The Honorable  
The Secretary of State.

My dear Mr. Secretary:

I have your letter of April 19, inclosing the original Fort Laramie Treaty concluded September 17, 1851, also the assent of the participating tribes to the amendment proposed by the Senate of the United States.

Concerning the statements on page 2 thereof in which you say, " \* \* \* it may \* be questioned whether, as a matter of law, the treaty has been duly ratified by all the signatory bands and tribes of Indians so as to warrant ratification by the President \* \* \*," the facts are that the treaty was signed by eight tribes. An amendment was made in the Senate limiting the annuity period from fifty to ten years with the right to continue annuities for a further period of five years, and the amendment was ratified by the eight tribes who originally signed the treaty. Therefore, this Department is convinced that, as a matter of law, the treaty was duly ratified and upon ratification became a valid, legal and binding instrument.

Very truly yours,



CARBON FOR SECRETARY'S OFFICE

~~TO Secretary~~  
MAY 11 1928  
4 GGT 30-1  
For Signature.

Graves

Noted by B

May 15, 1928.

MEMORANDUM

I am unable to agree with the suggestion that the treaty of Fort Laramie has been duly ratified and confirmed. It needed approval by the President to make it so, which approval apparently has not been had. The act of March 3, 1871 (16 Stat. 566, U.S.C. Title 25, Section 71) reads:

"No Indian nation or tribe within the territory of the United States shall be acknowledged or recognized as an independent nation, tribe, or power with whom the United States may contract by treaty; but no obligation of any treaty lawfully made and ratified with any such Indian nation or tribe, prior to March 3, 1871, shall be hereby invalidated or impaired."

In view of the foregoing it would hardly seem appropriate for the President at this late time to "ratify" and proclaim the treaty of Fort Laramie dated September 17, 1851.

The mere fact that the President submitted this treaty to the Senate for action by that body is not necessarily indicative that he (the President) thereby ratified it. In 170 U. S., page 23, the Supreme Court of the United States in dealing with a treaty with New York Indians said:

"The power to make treaties is vested by the Constitution in the President and Senate, and while this proviso was adopted by the Senate there is no evidence that it ever received the sanction or approval of the President."

The matter seems to be one for action, if any is to be had, by Congress rather than by the executive branch of the Government. Congress, of course, if it sees fit so to do, can now recognize the obligations of this unratified treaty as binding or otherwise carry out its provisions in favor of the Indians.

Revised  
Indian Office plans consider  
Wm. M. D.